IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.398 OF 2006
IN
CRIMINAL APPEAL NO.360 OF 2006

Shri Triveni Mewalal Jaiswal, .. Applicant
Vs
The State of Maharashtra, .. Respondent.

Mr M.P.Mishra i/b Mr Rajkumar Yadav, for the applicant.
Mr A.S.Shitole, APP for the respondent.

CORAM : D.B.BHOSALE, J.

DATED : 8th JUNE, 2006

P.C.:

1. Heard the learned counsel for the parties.

2. This is an application for bail in the appeal filed by the applicant against the order of his conviction under section 307 of IPC. He has been sentenced to suffer R.I.for five years and to pay fine of Rs.5000/-, in default to suffer further R.I. for one year. I perused the judgment and the other material on record. The evidence of the victim-PW 1 and the eye-witnesses PWs 5 and 6 clearly implicates the accused. According to these witnesses, the applicant inflicted a blow with sickle on the vital part of the body. The injury certificate shows that the victim suffered injuries on the chest and abdomen measuring 12"x2"x1". The other

evidence, such as finding of blood on the clothes of the accused and matching of the blood groups on the clothes with the blood group of the victim supports the prosecution case. Keeping this all in view, I am not inclined to enlarge the applicant on bail. The application for bail is rejected.

2. At this stage, Mr Mishra, learned counsel for the applicant, seeks liberty to prepare paper book. Liberty to the applicant to prepare paper book is granted. After filing of paper book, if the appeal is not heard within two years, liberty to the applicant to apply for bail afresh.

(D.B.BHOSALE,J.)